

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF
AMERICA,

VS.

TONY GOMES TEIXEIRA,
DEFENDANT.

CRIMINAL NO.
0410165-RCL

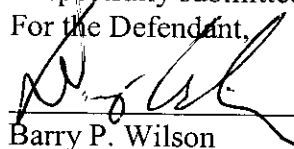
**DEFENDANT'S MOTION FOR LEAVE TO FILE MOTION TO
RECONSIDER COURT'S DENIAL OF AN EVIDENTIARY HEARING
ON DEFENDANT'S MOTION TO SUPPRESS AND DENIAL OF
DEFENDANT'S MOTION TO SUPPRESS**

The Defendant, Tony Texiera, requests that pursuant to Local Rule 7.1(B)(3) this Court grant him leave to file a Motion to Reconsider Court's Denial of an Evidentiary Hearing on Defendant's Motion to Suppress and the Court's Denial of the Defendant's Motion to Suppress.

As grounds, the Defendant states that the denial of the Motion to Suppress was made without such an evidentiary hearing, despite the Defendant's request that one be held, and that such a hearing is justified and is necessary to resolve critical factual questions.

The Defendant has attached a proposed Motion to Reconsider Court's Denial of an Evidentiary Hearing on Defendant's Motion to Suppress and Memorandum in Support thereof. The Memorandum is incorporated by a reference as further support for this Motion.

Respectfully submitted,
For the Defendant,


Barry P. Wilson
Attorney for the Defendant
240 Commercial Street
Suite 5A
Boston, MA 02109
(617) 248-8979
BBO# 529680

Dated: 12/15/04

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF
AMERICA,

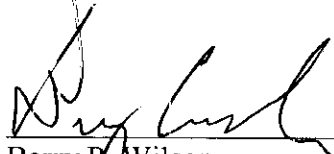
VS.

TONY GOMES TEIXEIRA,
DEFENDANT.

CRIMINAL NO.
0410165-RCL

CERTIFICATE OF SERVICE

I, Barry P. Wilson, do hereby certify that I did serve one (1) copy of the within documents, on this date, by fax and First Class Mail, to Timothy Feeley, Assistant U.S. Attorney, United States Attorney's Office, One Courthouse Way, Suite 9200, Boston, MA 02210.


Barry P. Wilson

Date: 12/15/04